



Michigan Assisted Living Association

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October 18, 2005

The Honorable Barb Vander Veen
Michigan House of Representatives
P.O. Box 30014
Lansing, MI 48909-7514

Re: House Bills 5166 and 5168

A Non-Profit Corporation

ROBERT L. STEIN
General Counsel

KATHLEEN M. MURPHY
General Counsel

KENNETH R. HALE
General Counsel

ANITA P. BINGHAM
Membership Benefits
Coordinator

RONALD R. GAFFNEY
Administrative
Manager

Dear Representative Vander Veen:

As an organization representing 1,500 adult foster care and home for the aged licensees providing services to 36,000 adults, we are vitally concerned with ensuring that newly hired employees are properly screened. Thus, we support the concept of requiring national FBI criminal background checks in adult foster care facilities and homes for the aged under House Bills 5166 and 5168, respectively.

Michigan Assisted Living Association (MALA) has three primary concerns related to House Bills 5166 and 5168. First, it is essential that the cost of the FBI checks be funded by the Michigan Department of Community Health on a direct basis. It is our understanding that the cost of a FBI check is approximately \$70 compared to a \$10 cost for a Michigan State Police check. The cost differential is dramatic and cannot realistically be absorbed by licensed providers who are already substantially under-funded. We are concerned that unless this cost is funded by the Department on a direct basis, providers will experience a lengthy delay in receiving reimbursement for the cost of these national background checks.

Second, the system for applicants for employment to obtain fingerprints as required for FBI checks must be easily accessible to them. Adult foster care and home for the aged programs are currently facing major staff recruitment and retention challenges. We must avoid a barrier to employment in these programs through reasonable access to the fingerprinting process.

Third, although we support the concept of the more extensive FBI check compared to the State Police check, we are concerned that the new FBI check requirement may potentially reduce the number of applicants for employment in adult foster care and home for the aged settings given the potentially intimidating

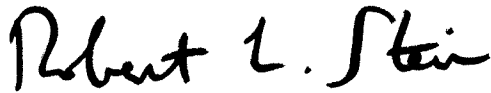


nature of the fingerprinting process. Therefore, it is imperative that we monitor the effectiveness of Michigan's new program for background checks to be certain that such adverse unintended consequences do not occur.

As a final comment, we support the inclusion of an employment eligibility appeal board process in the proposed legislation. Prospective or provisional employees should be provided a reasonable opportunity to appeal or dispute the accuracy of the information obtained in a background check.

Thank you for the opportunity to provide input on this important legislation. Please contact our organization if any additional information is needed regarding our comments.

Sincerely,

A handwritten signature in black ink that reads "Robert L. Stein". The signature is written in a cursive, flowing style.

ROBERT L. STEIN
General Counsel

cc: Representative Kevin Green
Representative John Stahl
Representative William Van Regenmorter
Representative John Proos IV
Representative Paula Zelenko
Representative Brenda Clack
Representative Aldo Vagnozzi
Representative Gino Polidori
Dennis Cawthorne
James Cavanagh